



Posted: JWitte

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	Board of Massage and Bodywork
MEETING DATE AND TIME:	Thursday, April 21, 2011 at 1:30 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor Cannon Building
MINUTES APPROVED:	May 19, 2011

MEMBERS PRESENT

Holly Overmyer, Professional Member, President
Lora Bryner, Professional Member, Vice-President
Gordon Gelley, Public Member
Sharon Harris, Public Member, Secretary
Wayne Dawson, Professional Member

MEMBERS ABSENT

Diane Langston, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Heeney, Deputy Attorney General
Jennifer Witte, Administrative Specialist
Stacey Stewart, Deputy Attorney General
Vera Sitze, Court Reporter
Bud Mowday

OTHERS PRESENT

Sandra Jachimowski
David Patterson
Robert Diamond
Lucy Louie

CALL TO ORDER

Ms. Overmyer called the meeting to order at 1:34 p.m.

REVIEW OF MINUTES

The Board reviewed the minutes from the March 17, 2011 meeting. A motion was made by Mr. Gelley, seconded by Ms. Harris, to approve the minutes as presented. The motion unanimously carried.

UNFINISHED BUSINESS

Disciplinary Hearing for Robert Diamond #20-02-09

The hearing was called to order at 1:52 p.m.

Ms. Heeney stated that today's hearing was a disciplinary hearing for Robert Diamond, Complaint 20-02-09, due to unlicensed practice. The contact person was Cindy Horsman, who is no longer a member of the Board.

The Board members were introduced.

Mr. Diamond introduced himself and agreed to continue without representation

Ms. Stewart, State Deputy Attorney General, introduced herself, gave opening remarks and informed the Board that Mr. Diamond had agreed to enter into a Consent Agreement.

Mr. Diamond testified to the circumstances surrounding the complaint for unlicensed practice.

Ms. Bryner advised Mr. Diamond that the technique he was administering was within the scope of practice of Massage and Bodywork.

The Board went off and into deliberations.

The Board went back on record at 2:14 p.m.

A motion was made by Ms. Bryner, seconded by Mr. Gelley, to accept the Consent Agreement as written. The motion unanimously carried.

The hearing went off record at 2:16 p.m.

Verbatim testimony was taken by a court reporter.

Disciplinary Hearing for Feng Pu Zhao #20-02-10

The Disciplinary Hearing for Feng Pu Zhao was dismissed by Stacey Stewart, State Deputy Attorney General.

Re-Review of Applications

After review of additional documentation, a motion was made by Ms. Harris, seconded by Mr. Gelley, to approve the Certified Massage Technician application of Zachary Sezna. The motion unanimously carried.

Joint Sunset Committee Progress Report-April Update

As stated in the December update, the Board has no plans at this time to include additional regulations concerning bodywork modalities.

The Board has completed a draft of the Sunset legislation which will be submitted to the Joint Sunset Committee for consideration during the 146th General Assembly. The Bill authorizes the Board to designate additional certifying bodies.

Since practice settings vary among healthcare professions, the Division and the individual healthcare boards will develop specific profession language for treating minors. The Board of Massage & Bodywork will discuss this item at their April 21, 2011 meeting. Once the provisions for each healthcare profession has been determined, a bill will be submitted to the Joint Sunset Committee for consideration.

The Board has proposed in the new Sunset Bill that ethics, law and contraindications be a license requirement for permanent licensure. The Bill will be forwarded to the Joint Sunset Committee for consideration for the 146th General Assembly.

NEW BUSINESS

Ratification of Certified Massage Technician Certifications

A motion was made by Ms. Bryner, seconded by Mr. Dawson, to ratify the Massage Technician Certificate applications of Elizabeth Brown, Jeuel Joseph, Courtney Billings, Ryan Sealy, Fengxian Liu, Judith Isabella, Mingyuan Song, Jianying Chen, Heidi Morris, Jessie DiCampi, Carol Gretz, Thomas Kendrick, Fengli Chen, Hing Wa Louiz, and Julie Landy. The motion was unanimously carried.

Ratification of License Massage Therapists Applications

A motion was made by Mr. Dawson, seconded by Ms. Harris, to ratify the Massage Therapist applications of Kevin Hopkins, Bobbie Jean Chelucci, Susan Kline, Miranda Antonio, Thomas Townsend, Meredith Martin, Jamie Kinsey-Romano, Jodi McLaughlin, Cara Bendler, Kellie Long, Peng Cui and Zaneena Cowan. The motion unanimously carried.

Review of Consent Agreement- Lucy Louie

After review, a motion was made by Mr. Gelley, seconded by Ms. Harris, to accept the Consent Agreement as written. The motion unanimously carried.

Continuing Education Reviews

After review, a motion was made by Ms. Bryner, seconded by Mr. Dawson, to approve the following applications for continuing education:

Advanced Education Systems

- Mu-Xing Self Care, 6 hours, elective
- Mu-Xing Therapy/Aunique Wood-Based Treatment, 16 hours, core

The motion unanimously carried.

Applications for Review - Eileen Heeney, DAG

After review, Ms. Heeney determined that the crime(s) listed on the criminal reports of Samantha Bowen, Nichole Graham, and Tamra Shelby are not on the Board's list of crimes that could prevent licensure.

A motion was made by Mr. Gelley, seconded by Ms. Harris, to approve the applications of Samantha Bowen, Nichole Graham, and Tamra Shelby. The motion unanimously carried.

Discussion of Statute and Proposed Legislation

Ms. Heeney stated that there were no new updates on the proposed legislation.

Complaint Status

20-02-10-sent to the Office of the Attorney general
20-03-10-sent to the Office of the Attorney General
20-01-11-sent to the Office of the Attorney General
20-02-11-Assigned
20-03-11-sent to the Office of the Attorney General

Review of Audits

The Board continues to review the post-renewal audits.

Review of Extension Requests

After review of the extension requests of Charles McKinney and Stephanie Blusk, a motion was made by Ms. Gelley, seconded by Mr. Dawson, to deny their requests and schedule Rule to Show Cause Hearings. The motion unanimously carried.

CORRESPONDENCE

There was no correspondence to be reviewed by the Board.

OTHER BUSINESS

Ms. Witte advised the Board of the resignation of Shiela Nagyiski and welcomed Wayne Dawson to the Board as the new professional member.

Ms. Bryner announced to the Board that NCTBM has invited her to be a Delaware representative at the AP/CE May meeting being held in Chicago.

PUBLIC COMMENT

Sandra Jachimowski asked what the Board's definition of "legal guardian" will be, in reference to the discussion on the treatment of minors.

Ms. Heeney stated that she will look into the definition of "legal guardian" with her supervisor who had input on the decision with the Medical Board.

NEXT SCHEDULED MEETING

The next meeting is scheduled for May 19, 2011 at 1:30 pm.

ADJOURNMENT

There being no further business, a motion was made by Ms. Overmyer, seconded by Ms. Harris, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at p.m.

Respectfully submitted,

Jennifer Witte
Administrative Specialist II

